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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,) No. CR 08-70029 HRL
12 Plaintiff,)
13 v.) **STIPULATION TO EXTEND TIME FOR
14 ALONSO ANGEL CALERO LOPEZ,) PRELIMINARY HEARING AND
15 Defendant.) EXCLUDE TIME; [PROPOSED] ORDER**
16 _____)

17 Defendant and the government, through their respective counsel, hereby stipulate that,
18 subject to the court's approval, the hearing in the above-captioned matter, presently scheduled for
19 Thursday, February 7, 2008, at 2:30 p.m. be continued to Thursday, February 21, 2008, at 2:00
20 p.m. The continuance is requested to allow time for further pre-charge negotiation and defense
21 investigation.

22 The parties further agree that time should be excluded under the Speedy Trial Act from
23 February 7, 2008 to February 21, 2008, to allow time for defense investigation and preparation,
24 and because the ends of justice outweigh the defendant's and the public's need for a speedy trial.

25 Finally, in order to allow additional time for pre-charge negotiations, the parties also
26 agree that time should be extended for the defendant's preliminary hearing pursuant to Federal

1 Rule of Criminal Procedure 5.1(d), taking into account the public interest in the prompt
2 disposition of criminal cases.

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4 Dated: 02/06/08

/s/
LARA S. VENNARD
Assistant Federal Public Defender

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6 Dated: 02/06/08

/s/
TOM O'CONNELL
Assistant United States Attorney

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ORDER

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9 The parties have jointly requested a continuance of the hearing set for February 7, 2008,
10 to allow time for continued pre-charge negotiation and continued defense investigation.
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12 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the hearing date
13 presently set for February 7, 2008 at 2:30 p.m. be continued to February 21, 2008, at 2:00 p.m.

14 Pursuant to the parties' stipulation, IT IS FURTHER ORDERED that the period of time
15 from February 7, 2008, to February 21, 2008, shall be excluded from the period of time within
16 which trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 et seq.

17 Finally, due to the parties' efforts to engage in pre-charge negotiations, it is ORDERED
18 that time should be extended for the defendant's preliminary hearing pursuant to Federal Rule of
19 Criminal Procedure 5.1(d), taking into account the public interest in the prompt disposition of
20 criminal cases.

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Dated:

PATRICIA V. TRUMBULL
United States Magistrate Judge

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STIPULATION TO EXTEND PRELIM.
HEARING DATE; [PROPOSED] ORDER
No. CR 08-70029 HRL